

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application:

Examiner Criares, T.Art Unit 1617

Commissioner for Patents

P.O. Box 1450

Mail Stop PATENT APPLICATION

Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/222,815 filed on 8/19/2002, which is a division of app. no. 10/014,592, filed 12/14/2001, which is a division of app. no. 09/450,690, filed 11/30/1999, which claims priority to provisional no. 60/110,488, filed 12/1/1998.

of Jerussi et al.

(inventor(s) currently of record in prior application)

for DERIVATIVES OF (-)- AND (+)-VENLAFAXINE AND METHODS OF PREPARING AND USING THE SAME (As amended)

(title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE


TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	22	- 20	2	\$18.00 each	\$ 36.00
Independent	12	- 3	9	\$86.00 each	\$ 774.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee					
If Applicable (\$290.00)					\$ 0.00
Total					\$ 1580.00
Applicant qualifies for the 50% Reduction for Independent					
Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 1580.00

2. ☒ Please charge the required fee to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.
- 3a. ☒ A Preliminary Amendment is enclosed.
- 3b. ☐ A new specification, substantially identical to the pending prior application and containing no new matter, is enclosed.
- 4a. ☐ New formal drawings are enclosed.

- 4b. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Sepracor Inc.
- 7a. ☐ A copy of the Power of Attorney filed in the prior application no. , filed is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☐ Additional enclosures or instruction

Date March 23, 2004

Respectfully submitted,


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45,479

(Reg. No.)

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